

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office **MAR 14 2013**
 Returned to applicant for correction **MAR 26 2013**
 Corrected application filed **MAR 28 2013** Map filed **NOV 2 1961 under 13958**

PV Land Investments, LLC; PVL-FB, LLC; VFR PV Land, LLC; and Harris 173 LLC.

The applicant (see attached)

(see attached)

of Las Vegas

Street Address or PO Box

City or Town

Nevada

State and ZIP Code

hereby make(s) application for permission to change the

☒ Point of diversion

☒ Place of use

☐ Manner of use

☒ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 14458, Certificate 5438.

1. The source of water is underground (existing Fan Well #1)

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.086 cfs; 61.27 AFA

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation

Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use

4. The water heretofore used for irrigation

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

NE 1/4 NW 1/4 Section 3, T.20S., R.53E., MDM, or at a point from which the N 1/4 corner of said Section 3 bears North 45° East, 100 feet as shown by a map on file with the DWR under Applications 13958-13959, filed December 31, 1951 by Norman and Lester Shurtliff. (Existing Fan Well #1)

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

NE 1/4 SE 1/4, Sec. 4, T20S, R53E, M.D.M., or at a point from which the E 1/4 corner of said Sec. 4 bears N. 14° 03'E, 103 feet as shown by a map on file under Application 14458 and filed on July 28, 1952 by Earnest and Margaret Pechstein (Fan Well #3).

REL

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Please see attached.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

Please see attached.

9. Proposed use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Existing use permitted from January 1st to December 31st of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Existing well, casing, pump and irrigation lines.

12. Estimated cost of works existing Fan Well #1

13. Estimated time required to construct works Existing well and delivery system

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Five Years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

A farming operation on the Pechstein Ranch in Pahrump, Nevada. Two existing pivots are present with a series of wells and a distribution system. Additional flood irrigation will be added to the operation.

Water under this application shall only receive credit for beneficial use for any augmented use that exceeds the 5 af/acre annual beneficial use credit given under other permits appurtenant to the place of use.

16. Miscellaneous remarks:

This is the second of two applications to change being submitted simultaneously for Permit 14458. A total of 547.23 afa of supplemental rights under Permits 13959, 14458 and 68981 are being changed to be utilized at an annual duty of 1.8 af/acre to augment other rights on the farm. Please see the attached cover letter and figures for more information.

Note: 109.44 ac x 5.0 AF/ac = 547.20

cvero@cox.net

E-mail Address

702-789-0911

Phone No.

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Chris Vero

Chris Vero

Type or print name clearly

Signature, applicant or agent

The Law Office of Chris Vero, Chartered

Company Name

PO Box 231419

Street Address or PO Box

Las Vegas, Nevada 89105

City, State, ZIP Code

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Application to change Permit 14458, Certificate 5438 Supplemental Information:**I. Applicant Information:**

Applicant	Address	Water Rights being changed		
		afa	cfs	acres
Harris 173 LLC	1401 South Highway 160 Suite A Pahrump, NV 89048	8.99	0.013	16.06
PV Land Investments, LLC	3455 Cliff Shadows Parkway Suite 220 Las Vegas, NV 89129	33.09	0.046	59.12
PVL-FB, LLC	3455 Cliff Shadows Parkway Suite 220 Las Vegas, NV 89129	10.55	0.015	18.84
VFR PV Land, LLC	2200 Paseo Verde Parkway Suite 350 Henderson, NV 89052	8.64	0.012	15.42
Total =		61.27	0.086	109.44

II.**Question 7, Proposed Place of Use:**

A total of 304.01 acres to be irrigated in Section 4 and Section 5 of T20S, R53E, M.D.M.
Further described as follows:

Section	Qt. Qt.	Acres	Section	Qt. Qt.	Acres
4	NW SW	38.46	5	NW SE	31.13
	NE SW	37.16		NE SE	37.34
	SW SW	31.89		SW SE	30.65
	SE SW	30.99		SE SE	32.26
				SW NE	6.73
				SE NE	27.40
Total =		138.5	Total =		165.51

Question 8, Existing Place of Use:

A total of 157 acres within Section 4 and 160 acres within Section 5 T20S, R53E, M.D.M.

This application changes a total of 109.44 acres in Section 4 and Section 5 of T20S, R53E, M.D.M. Further described as follows:

Section	Qt. Qt.	Acres	Section	Qt. Qt.	Acres
4	NW SW	19.29	5	NW SE	4.40
	NE SW	20.06		NE SE	7.35
	SW SW	18.28		SW SE	11.76
	SE SW	23.44		SE SE	4.86
Total =		81.07	Total =		28.37

Question #16, Miscellaneous Remarks:

The owners listed above are participating in an active farming operation on the Pechstein Ranch in Pahrump Nevada.

The change sought herein is part of a change of a total of 547.23 afa under supplemental permits 13959, 14458¹ and 68981. The water rights being changed will be utilized at an annual duty of 1.8 af/acre to augment existing water rights (under permits 13959, 14458 and 68981) that have an annual duty of 5.0 af/acre for a total annual duty under all permits of 6.8 af/acre annual duty.

Priority of Beneficial Use: Water under this application shall only receive credit for beneficial use for any augmented use that exceeds the 5 af/acre annual beneficial use credit given under other permits appurtenant to the place of use.

Please also note that a portion of water rights under Permit 14458 shown as owned by PV Land Investments by the DWR's records has been deeded to a third party that has chosen not to participate in the farming operations. This third party has not yet filed a report of conveyance with the DWR. The amount of rights owned by this third party is a total combined duty of 63.7 afa under Permits 13959, 14458 and 68981 with a corresponding 7.130 afa @ 0.010 cfs on 12.74 acres under Permit 14458.

Please see the attached cover letter from the Law Office of Chris Vero, Chartered for a more detailed explanation.

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¹ Please note that Permit 14458 has a point of diversion that is a non-functioning well. Two applications to change are being filed for Permit 14458. One change application, which is only a change of point of diversion, is to remain supplemental to Permits 13959 and 68981 at an annual duty of 5 af/acre.

This second change application for 14458 is being submitted with change applications for 13959 and 68981, to have a total annual duty of 1.8 af/acre and to augment other rights on the farm that are at an annual duty of 5 af/acre.